

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 11-_____
v.	:	DATE FILED: _____
PHUC MINH TRINH	:	VIOLATIONS:
	:	18 U.S.C. § 1956(A)(1)(a) (money
	:	laundering- 1 count)
	:	18 U.S.C. § 1343 (wire fraud - 1 count)
	:	18 U.S.C. § 1028A (aggravated identify
	:	theft - 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)
		Notice of Forfeiture

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this information:

1. Defendant PHUC MINH TRINH resided in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania.
2. PayPal was an American-based global e-commerce business allowing payments and money transfers to be made through the Internet. Online money transfers serve as electronic alternatives to paying with traditional paper methods, such as checks and money orders.
3. PayPal users were able to link their accounts to their internet businesses, such as eBay, a popular internet auction website, in order to accept and make payments related to their internet businesses.
4. A PayPal account could be opened using a valid email address and credit

card or traditional bank account.

5. PayPal maintained and enforced a policy of refusing to wire funds deposited into United States-based PayPal accounts to some overseas accounts, including Vietnam-based accounts.

6. E-Trade Financial Corporation (E-trade) is a financial services company offering banking and lending products such as checking and savings accounts, which also has a wholly owned subsidiary E-Trade Bank.

7. Defendant PHUC MINH TRINH joined a scheme operated by individuals known and unknown to the United States Attorney, who were located in Vietnam and elsewhere (the foreign conspirators), to defraud internet retailers, by making numerous purchases using stolen identities, totaling in excess of \$400,000, and then engaging in interstate and foreign wire monetary transactions to transmit the proceeds of the scheme to the foreign conspirators.

8. Defendant PHUC MINH TRINH received compensation from the foreign conspirators in the form of commissions for his transmission of proceeds to the foreign conspirators. Defendant TRIHN also received compensation in the form of stolen identity information from the foreign conspirators, including credit card information, in order for defendant TRIHN to purchase merchandise for himself.

9. Defendant PHUC MINH TRINH opened in excess of 100 bank accounts in the United States, including bank accounts at Bank of America, Wells Fargo, Bancorp, and E-trade (the bank accounts).

10. The foreign conspirators opened PayPal accounts (the PayPal accounts) which were associated with eBay accounts (the eBay accounts).

11. At times, the foreign conspirators provided for defendant PHUC MINH TRINH to have access to, and control of, the PayPal accounts, in order for defendant TRIHN to transfer funds from the Paypal accounts into the bank accounts.

12. At times, defendant PHUC MINH TRINH provided his bank account information to the foreign conspirators in order for the foreign conspirators to transfer funds from the PayPal accounts into the bank accounts.

13. The foreign conspirators purported to offer merchandise for sale on eBay.

14. Individuals seeking to purchase merchandise offered for sale by the foreign conspirators (the purchasers) paid using PayPal, thereby causing funds to be deposited into the PayPal accounts.

15. After receiving payment from a purchaser for an item they advertised on eBay, the foreign conspirators, using a stolen identity, purchased that item from an internet retailer, including Amazon and Apple.com, and caused that item to be shipped to the purchaser.

16. Defendant PHUC MINH TRINH withdrew the proceeds of the sale of the merchandise advertised on eBay by the foreign conspirators, which had been deposited into the PayPal accounts, and electronically transmitted and caused to be transmitted these proceeds to the foreign conspirators by interstate and foreign wire.

17. On or about May 4, 2010, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

PHUC MINH TRINH

knowingly conducted, and attempted to conduct, and aided, abetted, and willfully caused, a financial transaction affecting interstate commerce, that is, the transfer of \$20,649.50 from Bank

of America account ending in 8168 to a Vietnam-based bank account in the name of “D.H.N.”

18. When conducting, aiding, abetting, and willfully causing, the financial transaction described in paragraph 17 above, defendant PHUC MINH TRINH knew that the property involved in those financial transactions represented the proceeds of some form of unlawful activity.

19. The financial transaction described in paragraph 17 above involved the proceeds of a specified unlawful activity, that is, wire fraud, in violation of Title 18, United States Code, Section 1343, and defendant PHUC MINH TRINH acted with the knowledge that the transaction was designed, in whole and in part, to conceal and disguise the nature, location, source, ownership and control of the proceeds of the specified unlawful activity.

All in violation of Title 18, United States Code, Section 1956(a)(1) (B)(i) and 2.

COUNT TWO

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs One through Six of Count One of this Information are incorporated here.

THE SCHEME

2. From on or about April 20, 2009 to on or about November 20, 2010, defendant

PHUC MINH TRINH

devised and intended to devise a scheme to defraud internet retailers and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

It was part of the scheme that:

3. Paragraphs Seven through Sixteen of Count One of this Information are incorporated here.

4. On or about May 12, 2010, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

PHUC MINH TRINH,

for the purpose of executing the scheme described above, and attempting to do so, and aiding and abetting its execution, transmitted and caused to be transmitted by means of wire communication in interstate commerce signals and sounds, that is, the transfer of \$22,030 from Bank of America account ending in 8168 to a Vietnam-based bank account in the name of "D.H.N."

All in violation of Title 18, United States Code, Sections 1343, 1349, and 2.

COUNT THREE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs One through Six of Count One of this Information are incorporated here.
2. On or about August 31, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

PHUC MINH TRINH

knowingly and without lawful authority possessed and used a means of identification of another other person, that is, the Visa credit card with account number ending 2451 and an Alabama address which belong to "K.O." during and in relation to a wire fraud.

In violation of Title 18, United States Code, Section 1028A(a)(1), (c)(4).

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1956, set forth in this information, defendant

PHUC MINH TRINH

shall forfeit to the United States of America any property, real or personal, involved in such violation, and any property traceable to such property and:

a. Black 2006 Honda Civic Coupe, VIN 2HGFG12896H504888, PA tag PHUCBO.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982.

A TRUE BILL:

Christine S. Jones

ZANE DAVID MEMEGER

United States Attorney